

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

SHARMILA MELISSA POWELL,

Plaintiff,

v.

LEROY HARRISON; GARY JACKSON,
and DONNA NURIDDIN,

Defendants.

CIVIL ACTION NO.: CV208-114

ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In her Objections, Plaintiff asserts that Defendants committed acts violating her equal protection rights, her free exercise rights, and her right to be free from cruel and unusual punishment.¹ (Doc. No. 73). Plaintiff asserts that Defendants should not be protected by qualified immunity. (*Id.* at p. 73).

Summary judgment was recommended by the Magistrate Judge because Plaintiff did not establish that she was entitled to any requested relief. (Doc. No. 68). The issue of qualified immunity was not addressed in the report and recommendation. (*Id.*). Plaintiff's objection fails to state any reason that she should be entitled to her requested monetary or injunctive relief. Her objection merely restates the allegations in her complaint. Without a showing of physical injury that satisfies the requirement of 42

¹ In an order issued on November 7, 2009, the undersigned determined that Plaintiff's complaint only alleged violations of the Equal Protection Clause. (Doc. No. 14, p. 2).

U.S.C. §1997e(e), the undersigned cannot allow Plaintiff's claims for compensatory damages to move forward. See Boxer X v. Donald, 169 Fed. Appx. 555, 558 (11th Cir. 2006) (holding that allegations of mental and emotional injury, without any allegation of physical injury, bar compensatory relief). Moreover, Plaintiff's claims for injunctive or declaratory relief are rendered moot by her transfer from the Wayne County Jail. As this Court can grant no relief to Plaintiff, it is unnecessary to address the merits of her Constitutional claims or whether Defendants are entitled to qualified immunity.

Petitioner's Objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's objections are **OVERRULED**, and Defendants' Motion for Summary Judgment is **GRANTED**. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 28 day of January, 2010.


HONORABLE LISA GODBEY WOOD
UNITED STATES DISTRICT JUDGE